

NO. 62532

**APPLICATION FOR PERMISSION TO CHANGE POINT OF  
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE  
PUBLIC WATERS OF THE STATE OF NEVADA  
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office OCT 24 1996

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed OCT 24 1996

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The applicant **Newmont Gold Company** by **Paul M. Pettit, Agent**, hereby makes application for permission to change the **point of diversion and manner of use and place of use of a portion** of water heretofore appropriated under **permit 56833**

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1. The source of water is **Underground, Well NS-2**
2. The amount of water to be changed **2000 gpm (4.4560 cfs)**
3. The water to be used for **Mining and Milling**
4. The water heretofore permitted for **Mining, milling, irrigation, infiltration, surface discharge, domestic, dewatering**
5. The water is to be diverted at the following point **Within the NW¼ NW¼ of Section 09 of T34N, R51E, M.D.B&M., at a point from which the NW corner of section 5, T34N, R51E, M.D.B&M., bears N44°38'11"W a distance of 7685.08 feet. (See map).**
6. The existing permitted point of diversion is located within the **NE¼ of section 03, T33N, R51E, M.D.B&M., at a point from which the NE corner of section 36, T34N, R51E, M.D.B&M., bears N60°53'E, a distance of 13,592 feet.**
7. Proposed place of use **See Attachment A**
8. Existing place of use **See Attachment B**
9. Use will be from **January 01 to December 31 of each year.**
10. Use was permitted from **January 01 to December 31 of each year.**
11. Description of proposed works **A drilled and cased well equipped with a pump, motor, totalizing flowmeter, and pipeline to the place of use.**
12. Estimated cost of works **twenty thousand dollars (\$20,000.00)**
13. Estimated time required to construct works **One year**
14. Estimated time required to complete the application of water to beneficial use **Two years**
15. Remarks: **Water produced will be applied to road surfaces for dust control and used for road maintenance as needed.**

By **s/Paul M. Pettit**  
**PO Box 669**  
**Carlin, NV 89822**

Compared jk/cms cl/cms

Protested \_\_\_\_\_

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APPROVAL      **OF STATE ENGINEER**

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, manner of use and place of use of a portion of the waters of an underground source as heretofore granted under Permit 56833 is issued subject to the terms and conditions imposed in said Permit 56833 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit will allow the permittee to dewater the pit area. Any water obtained under Permits 53384, 53385, 54339, 54340, 54341, 55616, 55617, 55618, 55619 and 56831 through 56839, inclusive, and any subsequent changes of the above mentioned permits, as a result of the dewatering program by the permittee, will be used first for the beneficial uses of mining, milling, heap leaching, drilling, construction, dust suppression, road watering and other related mining and milling uses within the place of use as described, hereinafter referred to as mining and milling purposes.

Water may be placed in the Maggie Creek Reservoir (approved on July 21, 1992, under Dam Safety Permit J-387) and any discharge of water from the reservoir must be in accordance with the permit issued by the Nevada Division of Environmental Protection.

Any adverse impacts on the Humboldt River System caused by this dewatering must be mitigated in a manner approved by the State Engineer. Water not used for mining and milling purposes must be used for mitigating any impacts to existing groundwater or surface water right holders. Before any water can be utilized for mitigation purposes, the permittee must apply for and receive any necessary approval from the State Engineer. The State Engineer may require the excess water be used for other possible mitigation measures, including but not limited to injection or substitution for other permitted groundwater uses.

The permittee shall discharge water in a manner to achieve maximum conservation of the water resource. It is understood that this right must allow for a reasonable lowering of the static water level.

The State Engineer will retain the right to require additional monitoring of water levels in observation and monitor wells and of flow rates of surface sources. The permittee, on a quarterly schedule, will prepare and present an update on the activities of the mine and dewatering projects, and the Maggie Creek Basin Monitoring Plan (submitted September 10, 1992).

This permit does not extend the permittee the right of ingress and egress on public, private or corporate land.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from the State, Federal and local agencies and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

The total combined duty of water for consumptive purposes under Permits 40900, Certificate 13392; 47962, Certificate 14015; 48328; 48330; 48910; 48911; 48912; 49550; 49916; 49962; 51962; 52330; 52331; 52332, Certificate 14019; 52883, Certificate 13398; 52884; 53384; 53385; 54339; 54340; 54341; 54510; 55616; 55617; 55618; 55619; 56831 through 56839, inclusive; 62532 and 62750-T through 62766-T, inclusive, shall not exceed 10,660.42 acre-feet annually for mining and milling purposes. The total combined diversion rate under all permits associated with the dewatering program and all related mining and milling purposes will not exceed 110.0 cubic feet per second on an instantaneous basis.

(CONTINUED ON PAGE 2)

## (PERMIT TERMS CONTINUED)

A monthly report must be submitted to the State Engineer within 10 days from the end of each month which shall include measurement of the following: the volume of water pumped from each well, the volume of water consumptively used for mining and milling uses projectwide, the volume of water diverted to the reservoir, the evaporative losses and seepage losses from the reservoir, the volume of water discharged to any surface drainage and which drainage, and the volume of water used for any other purpose allowed under the permits.

This permit is issued subject to, and also incorporates the terms and conditions set forth in the State Engineer's Order No. 1055, Order Adopting Rules For Well Spacing and Modification of Regulations For Water Well and Related Drilling (January, 1990) In A Portion Of The Heretofore Designated Maggie Creek Ground Water Basin (4-51), dated April 1, 1992, on file in the office of the State Engineer.

A year-end report must be submitted to the State Engineer no later than 45 days after the end of each calendar year. The report will state: (1) the number of wells drilled under the permits, (2) the number of abandoned wells, (3) the exact location of each well drilled or abandoned, and (4) a supporting map illustrating well locations.

All groundwater and surface water monitoring data must be submitted to the State Engineer on the same basis as specified in Appendix "A" - Mitigation Plan of the Final Environmental Impact Statement, Newmont Gold Company's South Operations Area Project (November 1993).

Upon permanent cessation of all mining, milling and dewatering purposes, all water granted under the permits will revert back to the source from which it was appropriated, except for any water requirements needed for any mine closure plan and/or to mitigate any adverse effects caused by dewatering.

The State Engineer retains the right to require at any time the permittee cooperate in the funding of additional monitoring and modeling by an independent third party. The State Engineer retains the right to impose future conditions as necessary upon review and evaluation of all data submitted reporting on the dewatering program, water use and the monitoring plan. The State Engineer retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and existing rights.

(CONTINUED ON PAGE 3)



(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.456 cubic feet per second, but not to exceed 3,226.01 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:  
December 14, 1997

Proof of completion of work shall be filed before:  
January 14, 1998


Application of water to beneficial use shall be filed on or before:  
December 14, 1997

Proof of the application of water to beneficial use shall be filed on or before:  
January 14, 1998

Map in support of proof of beneficial use shall be filed on or before:  
N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,  
State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this 11th day of June, A.D. 1997

  
State Engineer

Completion of work filed FEB 20 1998

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

Country	1980	1985	1990	1995	2000
Japan	18.5	19.5	20.5	21.5	22.5
France	15.5	16.5	17.5	18.5	19.5
Germany	14.5	15.5	16.5	17.5	18.5
Italy	13.5	14.5	15.5	16.5	17.5
Spain	12.5	13.5	14.5	15.5	16.5
Sweden	11.5	12.5	13.5	14.5	15.5
United Kingdom	10.5	11.5	12.5	13.5	14.5
Canada	9.5	10.5	11.5	12.5	13.5
United States	8.5	9.5	10.5	11.5	12.5

April 26, 1996

# **ATTACHMENT A TO APPLICATION FOR TEMPORARY WATER RIGHTS FOR UNDERGROUND, WELL NS-2**

## **7. Proposed place of use (see map):**

That portion of the following area within 100 feet of the Carlin Mine Access Road and the NS Connector Haul Road:

### **T35N, R50E, M.D.B.&M.:**

- Section 11: SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;
- Section 12: SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;
- Section 13: N $\frac{1}{2}$ NW $\frac{1}{4}$ ; N $\frac{1}{2}$ NE $\frac{1}{4}$ ; SW $\frac{1}{4}$ NE $\frac{1}{4}$ ; N $\frac{1}{2}$ SE $\frac{1}{4}$ ;
- Section 14: NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;

### **T35N, R51E, M.D.B.&M.:**

- Section 19: N $\frac{1}{2}$ NW $\frac{1}{4}$ ; NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; S $\frac{1}{2}$ NE $\frac{1}{4}$ ; SW $\frac{1}{4}$ ; S $\frac{1}{2}$ SE $\frac{1}{4}$ ;
- Section 20: SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; N $\frac{1}{2}$ SW $\frac{1}{4}$ ; SE $\frac{1}{4}$ SW $\frac{1}{4}$ ; NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; S $\frac{1}{2}$ SE $\frac{1}{4}$ ;
- Section 28: NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; S $\frac{1}{2}$ NW $\frac{1}{4}$ ; NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; NW $\frac{1}{4}$ SE $\frac{1}{4}$ ; S $\frac{1}{2}$ SE $\frac{1}{4}$ ;
- Section 29: NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; E $\frac{1}{2}$ NW $\frac{1}{4}$ ; NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; S $\frac{1}{2}$ SW $\frac{1}{4}$ ;
- Section 30: NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;
- Section 32: E $\frac{1}{2}$ NW $\frac{1}{4}$ ; NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; W $\frac{1}{2}$ SE $\frac{1}{4}$ ;
- Section 33: N $\frac{1}{2}$ NE $\frac{1}{4}$ ; SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;
- Section 34: SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; W $\frac{1}{2}$ SW $\frac{1}{4}$ ;

### **T34N, R51E, M.D.B.&M.:**

- Section 3: NW $\frac{1}{4}$ NW $\frac{1}{4}$ ; S $\frac{1}{2}$ NW $\frac{1}{4}$ ; E $\frac{1}{2}$ SW $\frac{1}{4}$ ; SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;
- Section 5: NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; S $\frac{1}{2}$ NE $\frac{1}{4}$ ; E $\frac{1}{2}$ SW $\frac{1}{4}$ ;
- Section 8: NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;
- Section 9: W $\frac{1}{2}$ NW $\frac{1}{4}$ ; W $\frac{1}{2}$ SW $\frac{1}{4}$ ; SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;
- Section 10: NE $\frac{1}{4}$ NW $\frac{1}{4}$ ; NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; S $\frac{1}{2}$ NE $\frac{1}{4}$ ; SE $\frac{1}{4}$ ;
- Section 16: E $\frac{1}{2}$ NW $\frac{1}{4}$ ; NE $\frac{1}{4}$ SW $\frac{1}{4}$ ; W $\frac{1}{2}$ SE $\frac{1}{4}$ ;
- Section 21: N $\frac{1}{2}$ NE $\frac{1}{4}$ ; SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;
- Section 22: W $\frac{1}{2}$ NW $\frac{1}{4}$ ; W $\frac{1}{2}$ SW $\frac{1}{4}$ ;
- Section 27: W $\frac{1}{2}$ NW $\frac{1}{4}$ ;
- Section 28: E $\frac{1}{2}$ NE $\frac{1}{4}$ ; E $\frac{1}{2}$ SE $\frac{1}{4}$ ;





April 26, 1996

**ATTACHMENT B TO APPLICATION FOR TEMPORARY WATER RIGHTS FOR  
UNDERGROUND, WELL NS-2**

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**8. Existing place of use:**

T34N, R51E, M.D.B.&M.:

sections: 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35 and 36.

T34N, R52E, M.D.B.&M.:

sections: 19, 20, 28, 29, 30, 31, 32, 33 and 34.

T33N, R51E, M.D.B.&M.:

sections: 1, 2, 3, 4, 10, 11, 12, 13, 14, 23 and 24.

T33N, R52E, M.D.B.&M.:

sections: 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, that  
portion of sections 2, 11, 14, 23, 26, 34 and 35 lying within the natural drainage basin of  
Maggie Creek, and that portion of sections 33 and 34 lying within the natural drainage  
basin of Mary's Creek.

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